

REMARKS

In the aforementioned Office communication, the examiner rejected claims 7-9 and 11 under U.S.C. §112 for various specified reasons. Each issue raised by the examiner has been corrected herein and accordingly the rejection of the claims under §112 is felt to have been overcome.

Claims 7-9 and 11 have also been rejected under §103 based on various combinations of the patents to Rothenbach, Neumann et al. and Ritter. While the examiner has stated these references and combinations show the various features set forth in independent claim 7 and the claims dependent thereon, applicant does not concur, particularly as the claims are now presented. More specifically, claim 7 is directed to the combination of a carrier and a paneling system wherein the paneling system has at least a pair of longitudinally adjacent panels, each of which has a first and second hook-shaped flange and wherein the carrier comprises an arm that extends longitudinally from a vertically extending member with the arm including a first upwardly opening u-shaped channel and a second upwardly opening u-shaped channel defined between an upstanding free end of the arm, a locking lug on the arm and the vertically extending member. It is further stated that the first channel of the carrier receives therein the first hook shaped flange of one panel of the pair of panels and the second channel of the carrier receives therein the second flange of the other panel of the pair of panels to attach the pair of panels to the carrier. In other words, it is clear in claim 7, the carrier has an arm with two upwardly opening u-shaped channels with one channel receiving therein the hooked shaped flange along one edge of one panel of the pair of panels connected to the carrier and the second channel receives therein the second

flange of the other panel of the pair of panels to attach the pair of panels to the carrier. The prior art simply does not show this combination.

Looking first at the Neumann et al. reference, it will be seen the housing in Neumann has an arm with two upwardly opening u-shaped channels 34 and 36 separated by a lug 35 but the channels do not receive an edge of each adjacent ceiling panel. Rather, the two channels receive portions of the same ceiling panel to positively grip that panel. This is to be distinguished from independent claim 7 wherein each of the channels is defined as receiving therein an edge of a different panel.

The Rothenbach reference does not make up for this short coming as the carrier in Rothenbach does not even have two upwardly opening channels, but rather has openings through an arm that receives projections along the edge of one ceiling panel while the adjacent edge of the other ceiling panel simply lies freely on the top of the edge of the panel that is connected to the panel. This is noted in the Rothenbach patent in Col. 2, Line 68-70 wherein it is stated that one edge of a sheet or plate member is fixed whereas the other edge is freely supported. In the present invention, an edge of both panels is received within a channel on one arm which is clearly not the case in Rothenbach where one edge of a panel is merely freely supported on the edge of an adjacent panel.

The patent to Ritter, while showing lugs on a T-shaped section, does not make up for the deficiency in the Neumann et al. and Rothenbach patents as the channels defined on the T-shaped section do not have an edge of a panel received therein as in the present invention.

On page 4 of the examiner's Office action, he states the Rothenbach's structure could be modified by providing first and second upwardly opening channels as taught by Neumann et al. and further states the first channel would be adapted to receive the hook-shaped flange of one panel of the pair of panels as taught by Neumann et al. and the second channel of the carrier would be adapted to receive the second flange of the other panel of the pair of panels, but this is simply not shown or suggested in any of the art cited by the examiner. In other words, none of the art cited by the examiner or any combinations thereof show a carrier having two upwardly opening channels with one channel receiving therein the edge of one panel and the other channel receiving therein the edge of an adjacent panel. When all the elements of a claim are not found or suggested in any of the prior art references, they certainly cannot be found in any combination of these references. The elements are simply missing from the prior art, even if one could assume the references were logically combinable. Here, as mentioned above, the prior art does not show two upwardly opening channels with one receiving therein the edge of one panel and the other receiving therein the edge of an adjacent panel and accordingly it is impossible to see how this prior art could suggest such a combination.

Since the claims have been amended to overcome the rejection thereof under §112 and the prior art does not show or suggest the combination set forth in the claims remaining in the application, it is felt the application is now in condition for allowance and such action is courteously requested.

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Respectfully submitted,

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